

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

SOUTHERN REFRIGERATED
TRANSPORT, INC.

PLAINTIFF

v.

Case No. 4:15-cv-4078

THOROUGHbred DIRECT
INTERMODAL SERVICES, INC.

DEFENDANT

THOROUGHbred DIRECT
INTERMODAL SERVICES, INC.

THIRD-PARTY PLAINTIFF

v.

EAGLE SYSTEMS, INC.

THIRD- PARTY DEFENDANT

ORDER

Before the Court is the Joint Motion to Dismiss (ECF No. 42) filed by Plaintiff Southern Refrigerated Transport, Inc.; Defendant Thoroughbred Direct Intermodal Services, Inc.; and Third-Party Defendant Eagle Systems, Inc. The parties have reached a settlement in this matter and request that all claims be dismissed with prejudice, with each party bearing its own fees, costs, and expenses. Pursuant to Federal Rule of Civil Procedure 41(a)(2), an action may be dismissed by court order at the plaintiff's request, on terms the court considers proper.

Accordingly, the parties' joint motion (ECF No. 42) is hereby **GRANTED**. All claims in this matter are hereby **DISMISSED WITH PREJUDICE**, subject to the terms of the settlement agreement. Each party shall bear its own fees, costs, and expenses. If any party desires that the terms of settlement be a part of the record therein, those terms should be reduced to writing and filed with the Court within thirty (30) days of the entry of this judgment. The Court retains jurisdiction to vacate this Order and to reopen this action upon cause shown that the settlement has not been completed and further litigation is necessary.

IT IS SO ORDERED, this 8th day of August, 2017.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge